THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO. 9235 OF 2007

DATED: 26-11-2007

BETWEEN:

Ch. Veeranjaneya Sharma,
S/o. Ch. Rajeshwar Rao

... Petitioner

And

1. The Government of Andhra Pradesh,
rep.by Special Grade Deputy Collector and
Executive Officer, Srisailam Devasthanam,
Srisailam, Kurnool District and another

... Respondents

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ORDER:

This writ petition is filed seeking a Mandamus directing the respondent to reinstate the petitioner pending enquiry by setting aside proceedings Rc.No.A1/4557/2005, dt.19-08-2005.

Under the impugned proceedings dated 19-08-2005, petitioner was suspended from service pending enquiry into certain allegations made against him. The grievance of the petitioner is that though he was suspended on 19-08-2005, no enquiry has been conducted by the respondents and keeping the petitioner under continuous suspension without enquiry is unwarranted. Further, no subsistence allowance was paid till the date of filing of the writ petition and the petitioner was not permitted to be defended by a lawyer.

A detailed counter was filed on behalf of the respondents denying the allegations made by the petitioner. However, now, it

is stated by the learned counsel for the petitioner that in view of the interim orders passed by this Court on 06-08-2007 the petitioner is being paid the subsistence allowance regularly and enquiry is going on.

According to the learned counsel for the petitioner, there is no necessity of keeping the petitioner under suspension any more. I am not in agreement with the submissions made by the learned counsel for the petitioner. No ground has been made to interfere with the suspension order passed on 19-08-2005, such as, lack of jurisdiction and malafides etc. Thus, the writ petition is devoid of merits and liable to be dismissed. Accordingly dismissed. However, the respondents are directed to complete the enquiry contemplated against the petitioner within a period of six(6) months from today and till such time, the petitioner shall be paid the subsistence allowance regularly. Further, the respondents shall permit the petitioner to be represented by an advocate to defend his case, if their regulations permit.

Subject to the above directions, the writ petition is dismissed. No order as to costs.

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26-11-2007

Rns.

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